IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO. 7 OF 2005

Navnirman Development Consultants
(India) Pvt. Ltd. ...Petitioner

Versus

The Divisional Commissioner & President, Divisional Sports Complex Executive Committee & Anr. ...Respondents

Mr. S.V. Pitre for the Petitioner

Mr. N.P. Deshpande, Assistant Government Pleader, for the Respondents.

CORAM: DALVEER BHANDARI, C.J.

DATE: 12TH AUGUST, 2005

P.C.

1. Arbitration Clause 3.8 of the Agreement reads as under:-

> "Any dispute or differences between the parties as to terms of engagement as Architects as aforesaid shall be decided by arbitration of such panel of arbitrators or individual arbitrator, who shall be members of AESA, fellow of IIA and recognised by Council of Architecture, and such

arbitration proceedings shall be governed by the provisions of the Indian Arbitration Act in force for the time being."

2. In view of the said clause, the petitioner has already appointed its Arbitrator. The respondents undertake to appoint their Arbitrator within four weeks. Both the Arbitrators would be at liberty to nominate the Umpire.

3. This application is accordingly disposed of.

CHIEF JUSTICE